

U.S. PATENT & TRADEMARK OFFICE
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Assistant Commissioner for Patents

Washington, D.C. 20231 on June 19, 2002

Frank C. Eisenschenk

Frank C. Eisenschenk, Ph. D., Patent Attorney

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR 1.322

Docket No. UTR-104

Patent No. 6,384,087

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael B. Zemel, Hang Shi, Paula C. Zemel
Issued : May 7, 2002
Patent No. : 6,384,087
For : Materials and Methods for the Treatment or Prevention of Obesity

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CERTIFICATE OF CORRECTION
UNDER 37 CFR 1.322 (OFFICE MISTAKE)

Sir:

A Certificate of Correction (in duplicate) for the above-identified patent has been prepared and is attached hereto.

In the left-hand column below is the column and line number where errors occurred in the patent. In the right-hand column is the page and line number in the application where the correct information appears.

Patent Reads:

Column 1, line 51:

"Gene."

Column 1, line 58:

"Bojeson"

Application Reads:

Page 2, line 8:

--Gen.--

Page 2, line 12:

--Borjeson--

Certificate

JUL 03 2002

of Correction

Column 2, line 3:“([Ca²⁺])_i)”Column 6, line 17:

“embodiment, the”

Column 10, line 59:“1,25-)₂-D”Column 17, line 14 (Claim 4):

“claim 4,”

Page 2, line 21:--[Ca²⁺])_i--Page 9, line 5:

--embodiment, the--

Page 16, lines 24-25:--1,25-(OH)₂-D--Claim 5, line 1 (renumbered to Claim 4):

--claim 1,--

Claims included in Amendment dated January 11, 2002 and entered on March 6, 2002 by the examiner have been omitted from the printed patent. These claims were numbered 35-92 and should be renumbered to 10-67. Listed first is what the amendment to the application reads followed by what the patent should read when the claim numbering is changed.

Application Reads (Amendment dated January 11, 2002):Claim 35:

The method according to claim 1, wherein said method is treating obesity.

Claim 36:

The method according to claim 1, wherein said method is reducing obesity.

Claim 37:

The method according to claim 1, wherein said method is attenuating obesity.

Claim 38:

The method according to claim 2, wherein said metabolic change is decreasing intracellular calcium concentrations.

Claim 39:

The method according to claim 2, wherein said metabolic change is stimulating lipolysis.

Claim 40:

The method according to claim 2, wherein said metabolic change is inhibiting lipogenesis.

Claim 41:

The method according to claim 2, wherein said metabolic change is increasing the expression of white adipose tissue uncoupling protein 2.

Claim 42:

The method according to claim 2, wherein said metabolic change is reducing serum insulin levels.

Claim 43:

The method according to claim 2, wherein said metabolic change is thermogenesis.

Claim 44:

The method according to claim 2, wherein said metabolic change is decreasing the levels of calcitrophic hormones.

Claim 45:

The method according to claim 5, wherein said calcium is contained in dairy products.

Claim 46:

The method according to claim 5, wherein said calcium is contained in a dietary supplement.

Claim 47:

The method according to claim 5, wherein said calcium is contained in foodstuffs supplemented with calcium.

Claim 48:

The method according to claim 5, wherein said calcium is contained in foods high in calcium.

Claim 49:

The method according to claim 6, wherein said calcium is contained in salmon.

Claim 50:

The method according to claim 6, wherein said calcium is contained in beans.

Claim 51:

The method according to claim 6, wherein said calcium is contained in tofu.

Claim 52:

The method according to claim 6, wherein said calcium is contained in spinach.

Claim 53:

The method according to claim 6, wherein said calcium is contained in turnip greens.

Claim 54:

The method according to claim 6, wherein said calcium is contained in kale.

Claim 55:

The method according to claim 6, wherein said calcium is contained in broccoli.

Claim 56:

The method according to claim 6, wherein said calcium is contained in waffles.

Claim 57:

The method according to claim 6, wherein said calcium is contained in pancakes.

Claim 58:

The method according to claim 6, wherein said calcium is contained in pizza.

Claim 59:

The method according to claim 6, wherein said calcium is contained in milk.

Claim 60:

The method according to claim 6, wherein said calcium is contained in yogurt.

Claim 61:

The method according to claim 6, wherein said calcium is contained in cheeses.

Claim 62:

The method according to claim 6, wherein said calcium is contained in cottage cheese.

Claim 63:

The method according to claim 6, wherein said calcium is contained in ice cream.

Claim 64:

The method according to claim 6, wherein said calcium is contained in frozen yogurt.

Claim 65:

The method according to claim 6, wherein said calcium is contained in nutrient supplements.

Claim 66:

The method according to claim 6, wherein said calcium is contained in calcium fortified vitamin supplements.

Claim 67:

The method according to claim 6, wherein said calcium is contained in liquids supplemented with calcium.

Claim 68:

The method according to claim 7, wherein said method is attenuating weight gain and adiposity in children.

Claim 69:

The method according to claim 7, wherein said method is reducing the risk of adiposity in children.

Claim 70:

The method according to claim 7, wherein said method is controlling weight gain in children.

Claim 71:

The method according to claim 9, wherein said calcium is contained in dairy products.

Claim 72:

The method according to claim 9, wherein said calcium is contained in a dietary supplement.

Claim 73:

The method according to claim 9, wherein said calcium is contained in foodstuffs supplemented with calcium.

Claim 74:

The method according to claim 9, wherein said calcium is contained in foods high in calcium.

Claim 75:

The method according to claim 10, wherein said calcium is contained in salmon.

Claim 76:

The method according to claim 10, wherein said calcium is contained in beans.

Claim 77:

The method according to claim 10, wherein said calcium is contained in tofu.

Claim 78:

The method according to claim 10, wherein said calcium is contained in spinach.

Claim 79:

The method according to claim 10, wherein said calcium is contained in turnip greens.

Claim 80:

The method according to claim 10, wherein said calcium is contained in kale.

Claim 81:

The method according to claim 10, wherein said calcium is contained in broccoli.

Claim 82:

The method according to claim 10, wherein said calcium is contained in waffles.

Claim 83:

The method according to claim 10, wherein said calcium is contained in pancakes.

Claim 84:

The method according to claim 10, wherein said calcium is contained in pizza.

Claim 85:

The method according to claim 10, wherein said calcium is contained in milk.

Claim 86:

The method according to claim 10, wherein said calcium is contained in yogurt.

Claim 87:

The method according to claim 10, wherein said calcium is contained in cheeses.

Claim 88:

The method according to claim 10, wherein said calcium is contained in cottage cheese.

Claim 89:

The method according to claim 10, wherein said calcium is contained in ice cream.

Claim 90:

The method according to claim 10, wherein said calcium is contained in frozen yogurt.

Claim 91:

The method according to claim 10, wherein said calcium is contained in vitamin supplements.

Claim 92:

The method according to claim 10, wherein said calcium is contained in liquids supplemented with calcium.

Patent Should Read (renumbered claims):Claim 10:

The method according to claim 1, wherein said method is treating obesity.

Claim 11:

The method according to claim 1, wherein said method is reducing obesity.

Claim 12:

The method according to claim 1, wherein said method is attenuating obesity.

Claim 13:

The method according to claim 2, wherein said metabolic change is decreasing intracellular calcium concentrations.

Claim 14:

The method according to claim 2, wherein said metabolic change is stimulating lipolysis.

Claim 15:

The method according to claim 2, wherein said metabolic change is inhibiting lipogenesis.

Claim 16:

The method according to claim 2, wherein said metabolic change is increasing the expression of white adipose tissue uncoupling protein 2.

Claim 17:

The method according to claim 2, wherein said metabolic change is reducing serum insulin levels.

Claim 18:

The method according to claim 2, wherein said metabolic change is thermogenesis.

Claim 19:

The method according to claim 2, wherein said metabolic change is decreasing the levels of calcitrophic hormones.

Claim 20:

The method according to claim 4, wherein said calcium is contained in dairy products.

Claim 21:

The method according to claim 4, wherein said calcium is contained in a dietary supplement.

Claim 22:

The method according to claim 4, wherein said calcium is contained in foodstuffs supplemented with calcium.

Claim 23:

The method according to claim 4, wherein said calcium is contained in foods high in calcium.

Claim 24:

The method according to claim 5, wherein said calcium is contained in salmon.

Claim 25:

The method according to claim 5, wherein said calcium is contained in beans.

Claim 26:

The method according to claim 5, wherein said calcium is contained in tofu.

Claim 27:

The method according to claim 5, wherein said calcium is contained in spinach.

Claim 28:

The method according to claim 5, wherein said calcium is contained in turnip greens.

Claim 29:

The method according to claim 5, wherein said calcium is contained in kale.

Claim 30:

The method according to claim 5, wherein said calcium is contained in broccoli.

Claim 31:

The method according to claim 5, wherein said calcium is contained in waffles.

Claim 32:

The method according to claim 5, wherein said calcium is contained in pancakes.

Claim 33:

The method according to claim 5, wherein said calcium is contained in pizza.

Claim 34:

The method according to claim 5, wherein said calcium is contained in milk.

Claim 35:

The method according to claim 5, wherein said calcium is contained in yogurt.

Claim 36:

The method according to claim 5, wherein said calcium is contained in cheeses.

Claim 37:

The method according to claim 5, wherein said calcium is contained in cottage cheese.

Claim 38:

The method according to claim 5, wherein said calcium is contained in ice cream.

Claim 39:

The method according to claim 5, wherein said calcium is contained in frozen yogurt.

Claim 40:

The method according to claim 5, wherein said calcium is contained in nutrient supplements.

Claim 41:

The method according to claim 5, wherein said calcium is contained in calcium fortified vitamin supplements.

Claim 42:

The method according to claim 5, wherein said calcium is contained in liquids supplemented with calcium.

Claim 43:

The method according to claim 6, wherein said method is attenuating weight gain and adiposity in children.

Claim 44:

The method according to claim 6, wherein said method is reducing the risk of adiposity in children.

Claim 45:

The method according to claim 6, wherein said method is controlling weight gain in children.

Claim 46:

The method according to claim 8, wherein said calcium is contained in dairy products.

Claim 47:

The method according to claim 8, wherein said calcium is contained in a dietary supplement.

Claim 48:

The method according to claim 8, wherein said calcium is contained in foodstuffs supplemented with calcium.

Claim 49:

The method according to claim 8, wherein said calcium is contained in foods high in calcium.

Claim 50:

The method according to claim 9, wherein said calcium is contained in salmon.

Claim 51:

The method according to claim 9, wherein said calcium is contained in beans.

Claim 52:

The method according to claim 9, wherein said calcium is contained in tofu.

Claim 53:

The method according to claim 9, wherein said calcium is contained in spinach.

Claim 54:

The method according to claim 9, wherein said calcium is contained in turnip greens.

Claim 55:

The method according to claim 9, wherein said calcium is contained in kale.

Claim 56:

The method according to claim 9, wherein said calcium is contained in broccoli.

Claim 57:

The method according to claim 9, wherein said calcium is contained in waffles.

Claim 58:

The method according to claim 9, wherein said calcium is contained in pancakes.

Claim 59:

The method according to claim 9, wherein said calcium is contained in pizza.

Claim 60:

The method according to claim 9, wherein said calcium is contained in milk.

Claim 61:

The method according to claim 9, wherein said calcium is contained in yogurt.

Claim 62:

The method according to claim 9, wherein said calcium is contained in cheeses.

Claim 63:

The method according to claim 9, wherein said calcium is contained in cottage cheese.

Claim 64:

The method according to claim 9, wherein said calcium is contained in ice cream.

Claim 65:

The method according to claim 9, wherein said calcium is contained in frozen yogurt.

Claim 66:

The method according to claim 9, wherein said calcium is contained in vitamin supplements.

Claim 67:

The method according to claim 9, wherein said calcium is contained in liquids supplemented with calcium.

Approval of the Certificate of Correction is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank C. Eisenschenk", with a long horizontal flourish extending to the right.

Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

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Gainesville, FL 32606-6669

FCE/la

Attachment: Certificate of Correction in duplicate

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 1, line 51: "Gene." should read --Gen.--.

Column 1, line 58: "Bojeson" should read --Borjeson--.

Column 2, line 3: "([Ca2+])i)" should read --([Ca²⁺])i)--.

Column 6, line 17: "embodiment,the" should read --embodiment, the--.

Column 10, line 59: "1,25-)2-D" should read --1,25-(OH)2-D--.

Column 17, line 14 (Claim 4): "claim 4," should read --claim 1,--.

Claim 10 (renumbered from Claim 35): should read --The method according to claim 1, wherein said method is treating obesity.--.

Claim 11 (renumbered from Claim 36): should read --The method according to claim 1, wherein said method is reducing obesity.--.

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PATENT NO. 6,384,087

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UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

Page 2 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 12 (renumbered from Claim 37): should read --The method according to claim 1, wherein said method is attenuating obesity.--.

Claim 13 (renumbered from Claim 38): should read --The method according to claim 2, wherein said metabolic change is decreasing intracellular calcium concentrations.--.

Claim 14 (renumbered from Claim 39): should read --The method according to claim 2, wherein said metabolic change is stimulating lipolysis.--.

Claim 15 (renumbered from Claim 40): should read --The method according to claim 2, wherein said metabolic change is inhibiting lipogenesis.--.

Claim 16 (renumbered from Claim 41): should read --The method according to claim 2, wherein said metabolic change is increasing the expression of white adipose tissue uncoupling protein 2.--.

Claim 17 (renumbered from Claim 42): should read --The method according to claim 2, wherein said metabolic change is reducing serum insulin levels.--.

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CERTIFICATE OF CORRECTION

Page 3 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 18 (renumbered from Claim 43): should read --The method according to claim 2, wherein said metabolic change is thermogenesis.--.

Claim 19 (renumbered from Claim 44): should read --The method according to claim 2, wherein said metabolic change is decreasing the levels of calcitrophic hormones.--.

Claim 20 (renumbered from Claim 45): should read --The method according to claim 4, wherein said calcium is contained in dairy products.--.

Claim 21 (renumbered from Claim 46): should read --The method according to claim 4, wherein said calcium is contained in a dietary supplement.--.

Claim 22 (renumbered from Claim 47): should read --The method according to claim 4, wherein said calcium is contained in foodstuffs supplemented with calcium.--.

Claim 23 (renumbered from Claim 48): should read --The method according to claim 4, wherein said calcium is contained in foods high in calcium.--.

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CERTIFICATE OF CORRECTION

Page 4 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 24 (renumbered from Claim 49): should read --The method according to claim 5, wherein said calcium is contained in salmon.--.

Claim 25 (renumbered from Claim 50): should read --The method according to claim 5, wherein said calcium is contained in beans.--.

Claim 26 (renumbered from Claim 51): should read --The method according to claim 5, wherein said calcium is contained in tofu.--.

Claim 27 (renumbered from Claim 52): should read --The method according to claim 5, wherein said calcium is contained in spinach.--.

Claim 28 (renumbered from Claim 53): should read --The method according to claim 5, wherein said calcium is contained in turnip greens.--.

Claim 29 (renumbered from Claim 54): should read --The method according to claim 5, wherein said calcium is contained in kale.--.

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CERTIFICATE OF CORRECTION

Page 5 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 30 (renumbered from Claim 55): should read --The method according to claim 5, wherein said calcium is contained in broccoli.--.

Claim 31 (renumbered from Claim 56): should read --The method according to claim 5, wherein said calcium is contained in waffles.--.

Claim 32 (renumbered from Claim 57): should read --The method according to claim 5, wherein said calcium is contained in pancakes.--.

Claim 33 (renumbered from Claim 58): should read --The method according to claim 5, wherein said calcium is contained in pizza.--.

Claim 34 (renumbered from Claim 59): should read --The method according to claim 5, wherein said calcium is contained in milk.--.

Claim 35 (renumbered from Claim 60): should read --The method according to claim 5, wherein said calcium is contained in yogurt.--.

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CERTIFICATE OF CORRECTION

Page 6 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 36 (renumbered from Claim 61): should read --The method according to claim 5, wherein said calcium is contained in cheeses.--.

Claim 37 (renumbered from Claim 62): should read --The method according to claim 5, wherein said calcium is contained in cottage cheese.--.

Claim 38 (renumbered from Claim 63): should read --The method according to claim 5, wherein said calcium is contained in ice cream.--.

Claim 39 (renumbered from Claim 64): should read --The method according to claim 5, wherein said calcium is contained in frozen yogurt.--.

Claim 40 (renumbered from Claim 65): should read --The method according to claim 5, wherein said calcium is contained in nutrient supplements.--.

Claim 41 (renumbered from Claim 66): should read --The method according to claim 5, wherein said calcium is contained in calcium fortified vitamin supplements.--.

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CERTIFICATE OF CORRECTION

Page 7 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 42 (renumbered from Claim 67): should read --The method according to claim 5, wherein said calcium is contained in liquids supplemented with calcium.--.

Claim 43 (renumbered from Claim 68): should read --The method according to claim 6, wherein said method is attenuating weight gain and adiposity in children.--.

Claim 44 (renumbered from Claim 69): should read --The method according to claim 6, wherein said method is reducing the risk of adiposity in children.--.

Claim 45 (renumbered from Claim 70): should read --The method according to claim 6, wherein said method is controlling weight gain in children.--.

Claim 46 (renumbered from Claim 71): should read --The method according to claim 8, wherein said calcium is contained in dairy products.--.

Claim 47 (renumbered from Claim 72): should read --The method according to claim 8, wherein said calcium is contained in a dietary supplement.--.

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CERTIFICATE OF CORRECTION

Page 8 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 48 (renumbered from Claim 73): should read --The method according to claim 8, wherein said calcium is contained in foodstuffs supplemented with calcium.--.

Claim 49 (renumbered from Claim 74): should read --The method according to claim 8, wherein said calcium is contained in foods high in calcium.--.

Claim 50 (renumbered from Claim 75): should read --The method according to claim 9, wherein said calcium is contained in salmon.--.

Claim 51 (renumbered from Claim 76): should read --The method according to claim 9, wherein said calcium is contained in beans.--.

Claim 52 (renumbered from Claim 77): should read --The method according to claim 9, wherein said calcium is contained in tofu.—

Claim 53 (renumbered from Claim 78): should read --The method according to claim 9, wherein said calcium is contained in spinach.--.

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CERTIFICATE OF CORRECTION

Page 9 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 54 (renumbered from Claim 79): should read --The method according to claim 9, wherein said calcium is contained in turnip greens.--.

Claim 55 (renumbered from Claim 80): should read --The method according to claim 9, wherein said calcium is contained in kale.--.

Claim 56 (renumbered from Claim 81): should read --The method according to claim 9, wherein said calcium is contained in broccoli.--.

Claim 57 (renumbered from Claim 82): should read --The method according to claim 9, wherein said calcium is contained in waffles.--.

Claim 58 (renumbered from Claim 83): should read --The method according to claim 9, wherein said calcium is contained in pancakes.--.

Claim 59 (renumbered from Claim 84): should read --The method according to claim 9, wherein said calcium is contained in pizza.--.

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CERTIFICATE OF CORRECTION

Page 10 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 60 (renumbered from Claim 85): should read --The method according to claim 9, wherein said calcium is contained in milk.--.

Claim 61 (renumbered from Claim 86): should read --The method according to claim 9, wherein said calcium is contained in yogurt.--.

Claim 62 (renumbered from Claim 87): should read --The method according to claim 9, wherein said calcium is contained in cheeses.--.

Claim 63 (renumbered from Claim 88): should read --The method according to claim 9, wherein said calcium is contained in cottage cheese.--.

Claim 64 (renumbered from Claim 89): should read --The method according to claim 9, wherein said calcium is contained in ice cream.--.

Claim 65 (renumbered from Claim 90): should read --The method according to claim 9, wherein said calcium is contained in frozen yogurt.--.

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CERTIFICATE OF CORRECTION

Page 11 of 11

PATENT NO. : 6,384,087
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 66 (renumbered from Claim 91): should read --The method according to claim 9, wherein said calcium is contained in vitamin supplements.--.

Claim 67 (renumbered from Claim 92): should read --The method according to claim 9, wherein said calcium is contained in liquids supplemented with calcium.--.

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CERTIFICATE OF CORRECTION

Page 1 of 11

PATENT NO. : 6,384,087 **B1**
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 1, line 51: "Gene." should read --Gen.--.

Column 1, line 58: "Bojeson" should read --Borjeson--.

Column 2, line 3: "([Ca2+])_i)" should read --([Ca²⁺])_i)--.

Column 6, line 17: "embodiment,the" should read --embodiment, the--.

Column 10, line 59: "1,25-)₂-D" should read --1,25-(OH)₂-D--.

Column 17, line 14 (Claim 4): "claim 4," should read --claim 1,--.

Column 18, after line 17, add the following claims:

~~Claim 10 (renumbered from Claim 35): should read --~~The method according to claim 1,
wherein said method is treating obesity.~~--~~

~~Claim 11 (renumbered from Claim 36): should read --~~The method according to claim 1,
wherein said method is reducing obesity.~~--~~

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Page 2 of 11

PATENT NO. : 6,384,087 B1
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 12. (renumbered from Claim 37): should read~~ The method according to claim 1, wherein said method is attenuating obesity.↘

~~Claim 13. (renumbered from Claim 38): should read~~ The method according to claim 2, wherein said metabolic change is decreasing intracellular calcium concentrations.↘

~~Claim 14. (renumbered from Claim 39): should read~~ The method according to claim 2, wherein said metabolic change is stimulating lipolysis.↘

~~Claim 15. (renumbered from Claim 40): should read~~ The method according to claim 2, wherein said metabolic change is inhibiting lipogenesis.↘

~~Claim 16. (renumbered from Claim 41): should read~~ The method according to claim 2, wherein said metabolic change is increasing the expression of white adipose tissue uncoupling protein 2.↘

~~Claim 17. (renumbered from Claim 42): should read~~ The method according to claim 2, wherein said metabolic change is reducing serum insulin levels.↘

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CERTIFICATE OF CORRECTION

Page 3 of 11

PATENT NO. : 6,384,087 ~~81~~
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 18 (renumbered from Claim 43): should read~~ The method according to claim 2, wherein said metabolic change is thermogenesis.↘

~~Claim 19 (renumbered from Claim 44): should read~~ The method according to claim 2, wherein said metabolic change is decreasing the levels of calcitrophic hormones.↘

~~Claim 20 (renumbered from Claim 45): should read~~ The method according to claim 4, wherein said calcium is contained in dairy products.↘

~~Claim 21 (renumbered from Claim 46): should read~~ The method according to claim 4, wherein said calcium is contained in a dietary supplement.↘

~~Claim 22 (renumbered from Claim 47): should read~~ The method according to claim 4, wherein said calcium is contained in foodstuffs supplemented with calcium.↘

~~Claim 23 (renumbered from Claim 48): should read~~ The method according to claim 4, wherein said calcium is contained in foods high in calcium.↘

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Page 4 of 11

PATENT NO. : 6,384,087 **B1**
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 24 (renumbered from Claim 49): should read~~ The method according to claim 5, wherein said calcium is contained in salmon.

~~Claim 25 (renumbered from Claim 50): should read~~ The method according to claim 5, wherein said calcium is contained in beans.

~~Claim 26 (renumbered from Claim 51): should read~~ The method according to claim 5, wherein said calcium is contained in tofu.

~~Claim 27 (renumbered from Claim 52): should read~~ The method according to claim 5, wherein said calcium is contained in spinach.

~~Claim 28 (renumbered from Claim 53): should read~~ The method according to claim 5, wherein said calcium is contained in turnip greens.

~~Claim 29 (renumbered from Claim 54): should read~~ The method according to claim 5, wherein said calcium is contained in kale.

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CERTIFICATE OF CORRECTION

Page 5 of 11

PATENT NO. : 6,384,087 ~~51~~
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 30 (renumbered from Claim 55); should read~~ The method according to claim 5, wherein said calcium is contained in broccoli. ~~✗~~

~~Claim 31 (renumbered from Claim 56); should read~~ The method according to claim 5, wherein said calcium is contained in waffles. ~~✗~~

~~Claim 32 (renumbered from Claim 57); should read~~ The method according to claim 5, wherein said calcium is contained in pancakes. ~~✗~~

~~Claim 33 (renumbered from Claim 58); should read~~ The method according to claim 5, wherein said calcium is contained in pizza. ~~✗~~

~~Claim 34 (renumbered from Claim 59); should read~~ The method according to claim 5, wherein said calcium is contained in milk. ~~✗~~

~~Claim 35 (renumbered from Claim 60); should read~~ The method according to claim 5, wherein said calcium is contained in yogurt. ~~✗~~

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CERTIFICATE OF CORRECTION

Page 6 of 11

PATENT NO. : 6,384,087 ~~31~~

DATED : May 7, 2002

INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 36 (renumbered from Claim 61): should read~~ The method according to claim 5, wherein said calcium is contained in cheeses. ~~↘~~

~~Claim 37 (renumbered from Claim 62): should read~~ The method according to claim 5, wherein said calcium is contained in cottage cheese. ~~↘~~

~~Claim 38 (renumbered from Claim 63): should read~~ The method according to claim 5, wherein said calcium is contained in ice cream. ~~↘~~

~~Claim 39 (renumbered from Claim 64): should read~~ The method according to claim 5, wherein said calcium is contained in frozen yogurt. ~~↘~~

~~Claim 40 (renumbered from Claim 65): should read~~ The method according to claim 5, wherein said calcium is contained in nutrient supplements. ~~↘~~

~~Claim 41 (renumbered from Claim 66): should read~~ The method according to claim 5, wherein said calcium is contained in calcium fortified vitamin supplements. ~~↘~~

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Page 7 of 11

PATENT NO. : 6,384,087 **B1**
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

- ~~Claim 42 (renumbered from Claim 67): should read~~ The method according to claim 5, wherein said calcium is contained in liquids supplemented with calcium. ~~↘~~
- ~~Claim 43 (renumbered from Claim 68): should read~~ The method according to claim 6, wherein said method is attenuating weight gain and adiposity in children. ~~↘~~
- ~~Claim 44 (renumbered from Claim 69): should read~~ The method according to claim 6, wherein said method is reducing the risk of adiposity in children. ~~↘~~
- ~~Claim 45 (renumbered from Claim 70): should read~~ The method according to claim 6, wherein said method is controlling weight gain in children. ~~↘~~
- ~~Claim 46 (renumbered from Claim 71): should read~~ The method according to claim 8, wherein said calcium is contained in dairy products. ~~↘~~
- ~~Claim 47 (renumbered from Claim 72): should read~~ The method according to claim 8, wherein said calcium is contained in a dietary supplement. ~~↘~~

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PATENT NO. : 6,384,087 ~~61~~
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 48 (renumbered from Claim 73): should read~~ The method according to claim 8,
wherein said calcium is contained in foodstuffs supplemented with calcium.

~~Claim 49 (renumbered from Claim 74): should read~~ The method according to claim 8,
wherein said calcium is contained in foods high in calcium.

~~Claim 50 (renumbered from Claim 75): should read~~ The method according to claim 9,
wherein said calcium is contained in salmon.

~~Claim 51 (renumbered from Claim 76): should read~~ The method according to claim 9,
wherein said calcium is contained in beans.

~~Claim 52 (renumbered from Claim 77): should read~~ The method according to claim 9,
wherein said calcium is contained in tofu.

~~Claim 53 (renumbered from Claim 78): should read~~ The method according to claim 9,
wherein said calcium is contained in spinach.

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Page 9 of 11

PATENT NO. : 6,384,087 **B1**
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 54 (renumbered from Claim 79); should read~~ The method according to claim 9, wherein said calcium is contained in turnip greens.

~~Claim 55 (renumbered from Claim 80); should read~~ The method according to claim 9, wherein said calcium is contained in kale.

~~Claim 56 (renumbered from Claim 81); should read~~ The method according to claim 9, wherein said calcium is contained in broccoli.

~~Claim 57 (renumbered from Claim 82); should read~~ The method according to claim 9, wherein said calcium is contained in waffles.

~~Claim 58 (renumbered from Claim 83); should read~~ The method according to claim 9, wherein said calcium is contained in pancakes.

~~Claim 59 (renumbered from Claim 84); should read~~ The method according to claim 9, wherein said calcium is contained in pizza.

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Page 10 of 11

PATENT NO. : 6,384,087 **B1**
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 60 (renumbered from Claim 85): should read~~ The method according to claim 9, wherein said calcium is contained in milk.

~~Claim 61 (renumbered from Claim 86): should read~~ The method according to claim 9, wherein said calcium is contained in yogurt.

~~Claim 62 (renumbered from Claim 87): should read~~ The method according to claim 9, wherein said calcium is contained in cheeses.

~~Claim 63 (renumbered from Claim 88): should read~~ The method according to claim 9, wherein said calcium is contained in cottage cheese.

~~Claim 64 (renumbered from Claim 89): should read~~ The method according to claim 9, wherein said calcium is contained in ice cream.

~~Claim 65 (renumbered from Claim 90): should read~~ The method according to claim 9, wherein said calcium is contained in frozen yogurt.

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PATENT NO. : 6,384,087 ^B
DATED : May 7, 2002
INVENTORS : Michael B. Zemel, Hang Shi, Paula C. Zemel

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

~~Claim 66 (renumbered from Claim 91) should read~~ The method according to claim 9, wherein said calcium is contained in vitamin supplements.

~~Claim 67 (renumbered from Claim 92) should read~~ The method according to claim 9, wherein said calcium is contained in liquids supplemented with calcium.

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CERTIFICATE OF CORRECTION

PATENT NO. : 6,384,087 B1
DATED : May 7, 2002
INVENTOR(S) : Michael B. Zemel, Hang Shi and Paula C. Zemel

Page 1 of 4

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 1,

Line 51, "Gene." should read -- Gen. --.

Line 58, "Bojeson" should read -- Borjeson --.

Column 2,

Line 3, "([Ca²⁺]))" should read -- ([Ca²⁺])) --.

Column 6,

Line 17, "embodiment,the" should read -- embodiment, the --.

Column 10,

Line 59, "1,25-)-D" should read -- 1.25-(OH)₂-D --.

Column 17,

Line 14, "claim 4," should read -- claim 1, --.

Column 18,

After line 17, add the following claims:

10. The method according to claim 1, wherein said method is treating obesity.
11. The method according to claim 1, wherein said method is reducing obesity.
12. The method according to claim 1, wherein said method is attenuating obesity.
13. The method according to claim 2, wherein said metabolic change is decreasing intracellular calcium concentrations.
14. The method according to claim 2, wherein said metabolic change is stimulating lipolysis.
15. The method according to claim 2, wherein said metabolic change is inhibiting lipogenesis.
16. The method according to claim 2, wherein said metabolic change is increasing the expression of white adipose tissue uncoupling protein 2. --
17. The method according to claim 2, wherein said metabolic change is reducing serum insulin levels.
18. The method according to claim 2, wherein said metabolic change is thermogenesis.
19. The method according to claim 2, wherein said metabolic change is decreasing the levels of calcitrophic hormones.
20. The method according to claim 4, wherein said calcium is contained in dairy products.

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CERTIFICATE OF CORRECTION

PATENT NO. : 6,384,087 B1
DATED : May 7, 2002
INVENTOR(S) : Michael B. Zemel, Hang Shi and Paula C. Zemel

Page 2 of 4

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

21. The method according to claim 4, wherein said calcium is contained in a dietary supplement.
22. The method according to claim 4, wherein said calcium is contained in foodstuffs supplemented with calcium.
23. The method according to claim 4, wherein said calcium is contained in foods high in calcium.
24. The method according to claim 5, wherein said calcium is contained in salmon.
25. The method according to claim 5, wherein said calcium is contained in beans.
26. The method according to claim 5, wherein said calcium is contained in tofu.
27. The method according to claim 5, wherein said calcium is contained in spinach.
28. The method according to claim 5, wherein said calcium is contained in turnip greens.
29. The method according to claim 5, wherein said calcium is contained in kale.
30. The method according to claim 5, wherein said calcium is contained in broccoli.
31. The method according to claim 5, wherein said calcium is contained in waffles.
32. The method according to claim 5, wherein said calcium is contained in pancakes.
33. The method according to claim 5, wherein said calcium is contained in pizza.
34. The method according to claim 5, wherein said calcium is contained in milk.
35. The method according to claim 5, wherein said calcium is contained in yogurt.
36. The method according to claim 5, wherein said calcium is contained in cheeses.
37. The method according to claim 5, wherein said calcium is contained in cottage cheese.
38. The method according to claim 5, wherein said calcium is contained in ice cream.
39. The method according to claim 5, wherein said calcium is contained in frozen yogurt.
40. The method according to claim 5, wherein said calcium is contained in nutrient supplements.
41. The method according to claim 5, wherein said calcium is contained in calcium fortified vitamin supplements.
42. The method according to claim 5, wherein said calcium is contained in liquids supplemented with calcium.
43. The method according to claim 6, wherein said method is attenuating weight gain and adiposity in children.
44. The method according to claim 6, wherein said method is reducing the risk of adiposity in children.

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PATENT NO. : 6,384,087 B1
DATED : May 7, 2002
INVENTOR(S) : Michael B. Zemel, Hang Shi and Paula C. Zemel

Page 3 of 4

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

45. The method according to claim 6, wherein said method is controlling weight gain in children.
46. The method according to claim 8, wherein said calcium is contained in dairy products.
47. The method according to claim 8, wherein said calcium is contained in a dietary supplement.
48. The method according to claim 8, wherein said calcium is contained in foodstuffs supplemented with calcium.
49. The method according to claim 8, wherein said calcium contained in foods high in calcium.
50. The method according to claim 9, wherein said calcium is contained in salmon.
51. The method according to claim 9, wherein said calcium is contained in beans.
52. The method according to claim 9, wherein said calcium is contained in tofu.
53. The method according to claim 9, wherein said calcium is contained in spinach.
54. The method according to claim 9, wherein said calcium is contained in turnip greens.
55. The method according to claim 9, wherein said calcium is contained in kale.
56. The method according to claim 9, wherein said calcium is contained in broccoli.
57. The method according to claim 9, wherein said calcium is contained in waffles.
58. The method according to claim 9, wherein said calcium is contained in pancakes.
59. The method according to claim 9, wherein said calcium is contained in pizza.
60. The method according to claim 9, wherein said calcium is contained in milk.
61. The method according to claim 9, wherein said calcium is contained in yogurt.
62. The method according to claim 9, wherein said calcium is contained in cheeses.
63. The method according to claim 9, wherein said calcium is contained in cottage cheese.
64. The method according to claim 9, wherein said calcium is contained in ice cream.
65. The method according to claim 9, wherein said calcium is contained in frozen yogurt.
66. The method according to claim 9, wherein said calcium is contained in vitamin supplements.

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CERTIFICATE OF CORRECTION

PATENT NO. : 6,384,087 B1
DATED : May 7, 2002
INVENTOR(S) : Michael B. Zemel, Hang Shi and Paula C. Zemel

Page 4 of 4

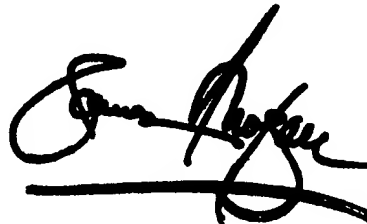
It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

67. The method according to claim 9, wherein said calcium is contained in liquids supplemented with calcium.

Signed and Sealed this

Eighth Day of October, 2002

Attest:

A handwritten signature in black ink, appearing to read "James E. Rogan", with a horizontal line drawn underneath it.

Attesting Officer

JAMES E. ROGAN
Director of the United States Patent and Trademark Office